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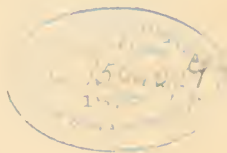


THE  
LAST YEARS  
OF  
DANIEL WEBSTER:

*A MONOGRAPH.*

BY  
GEORGE TICKNOR CURTIS.

NEW YORK:  
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[The writer of this pamphlet chanced lately to see a work entitled "A Dictionary of General Biography," edited by William L. R. Cates, and published (as a second edition) in London in 1875. The following is the concluding sentence of its article on "DANIEL WEBSTER": "In 1852 he again became a candidate for the presidency; and, to gain the favor of the Southern States, he abandoned the principles he had long maintained on the question of slavery, though in this case his sacrifice of principle was in vain; and it is conjectured that disappointment hastened his end." The article was probably written by some hack, who had met with similar assertions in some American publication, and who knew no better than to repeat them. Of course, he could not state, if called upon, what were the principles which Mr. Webster abandoned, or what "the question of slavery" was. His editor was probably no better informed, although he might perhaps have been expected to know that public men in America do not become candidates for the presidency unless they are formally named as such by the representative body of some political organization; which did not happen to Mr. Webster in 1852, or at any other time, excepting that, in 1836, he was nominated as their candidate by the Whigs of Massachusetts, who then gave him the electoral votes of that State.]

NEW YORK, *October 24, 1877.*

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1877.

# THE LAST YEARS OF DANIEL WEBSTER.

MR. WEBSTER has been dead for a quarter of a century. A generation that never saw him, and that can know him only from what he has left and from the report of his contemporaries, has come upon the stage of active life. What they are to believe of him, how they and their successors in the duties and privileges of American citizenship are to estimate him, is a matter of some consequence; for, all things considered, he was the foremost American statesman of his time. In the whole of his political career there was but one occurrence that has been made a subject of serious charge, whether justly or unjustly. Such other alleged inconsistencies as captious critics have assumed to find in his public conduct are mere trifles, in comparison with that one act of his life in which it was said that he was grossly untrue to himself and to his public duty. I refer, of course, to the celebrated speech which he made in the Senate on the 7th of March, 1850.

He died on the 24th of October, 1852. During this interval he was pursued, on account of that speech, with a torrent of reproach and accusation such as has rarely been directed against any other statesman in our annals. Some of it was dictated by blind and unreasoning passion; some of it was dishonest; some of it was sincere. It did not cease at the grave, and it has infected, more or less, the general feeling concerning him. One class of the accusers was that repre-

sented by Mr. Theodore Parker, whose malignantly indecent sermon, delivered in Boston on the Sunday following Mr. Webster's death, embodied the charges in language that would have had a terrible import if it had not been steeped in a kind of gall that deprived it of all show of truth or reason. Another class was that represented by Whittier's poem, entitled "Ichabod," which mourned with plaintive and unaffected sorrow the supposed downfall of a mighty spirit, whose previous moral elevation made his sacrifice of his own principles to his ambition a too painful spectacle. Still another class was that led by the public men who, like the late Mr. Seward, found it profitable to speak of Mr. Webster as a "traitor to the cause of freedom." And now we have in the recently published autobiography of Harriet Martineau, written in 1855, her recorded judgment on Mr. Webster's "folly and treachery in striving to win the supreme honors of the state, by winning the South through the sacrifice of the rights and liberties of the North, of necessity more extreme and more conspicuous than any double-dealing of Mr. Clay's. His retribution was the more striking; and the disgrace which he drew down on his last days was the more damning of the two."<sup>1</sup>

It is my purpose now to examine this charge more closely and more in detail than I could in the *Life of Mr. Webster*, which I published in 1870. Laying aside, so far as I may be able, the partiality of a friend and biographer, I shall subject to the scrutiny of reason and good sense the accusation that, in Mr. Webster's later years, for the sake of attaining the presidency, by bidding for the political support of the Southern States, he renounced the principles which he had professed all his life on the subject of slavery. A few preliminary observations will clear the way to the principal discussion.

As a kind of corollary or deduction from the principal charge, it became with some persons a real or pretended belief that, having failed to reach the object of his ambition, Mr. Webster died from the effects of a disappointment which, in a man of so lofty a nature, must have been and was greatly

<sup>1</sup> "Harriet Martineau's Autobiography," vol. i., p. 379. Boston: Osgood & Co., 1877.



aggravated by remorse. If the main substance of the charge was true—namely, that Mr. Webster sought to obtain the presidency by renouncing his own principles in regard to such an evil as slavery, in the expectation or hope that such a renunciation would gain for him the votes of the slaveholders—there is hardly any degree of moral reprobation with which his memory may not be justly visited. He himself once said that “inconsistencies of opinion, arising from changes of circumstances, are often justifiable. But there is one sort of inconsistency that is culpable: it is the inconsistency between a man’s conviction and his vote, between his conscience and his conduct. No man shall ever charge me with an inconsistency of that kind.”<sup>1</sup> I shall therefore assume that, if Mr. Webster was guilty of the enormous violation of his own conscience which was laid to his charge, there is no excuse for him but that kind of excuse which may always be found for human weakness under strong temptation to do wrong. If he did wrong, he must have known it; for his intelligence and his moral perceptions were of that supreme order which must have made it impossible for him to be self-deceived. The men who so bitterly accused him were perfectly right in assuming that he was intellectually too great and wise, and in his moral faculties too clear, not to know when he did a great wrong in his public capacity. They were just as right in their calculations that his known intellectual supremacy would give a sting to their accusation, as were the contemporaries of Bacon in assuming, as all subsequent ages have believed, that he sinned against his better knowledge when he took bribes or presents for his judicial decisions. Great mental and moral powers carry with them a corresponding responsibility; and he who towers in faculties far above the average of mankind must be judged by a severe standard when any question of moral delinquency arises. The difference, however, between the case of Bacon and the supposed case of Webster is the difference between an admitted fact and a charge that has not only never been admitted, but that can be utterly disproved. Bacon acknowledged his guilt, and humbled himself before

<sup>1</sup> Speech on the Tariff, in 1846. (“Works,” vol. v., pp. 161, 187.)

his own age and before posterity, asking only that the good that he had done might be remembered along with the evil. Where is the evidence that Webster ever admitted, or felt, that he had bribed himself, with the hope of the presidency, to renounce the principles of his whole life on a subject of infinite concern to his country and mankind?

The assertion that Mr. Webster's death was hastened by political disappointment was one of those *post hoc propter hoc* assumptions by which the popular belief is often misled concerning great men, until things that are very wide of the truth acquire a sort of historical acceptance. Mr. Webster died in less than six months after the Whig National Convention had nominated another person as their candidate for the presidency; he is known to have desired, and is admitted to have deserved, the nomination; *therefore*, this great disappointment must have killed him, especially as he had done an act which must have laid upon his conscience a heavy burden. Such was the nonsense that attained a certain currency, and that may still have believers. If I treat it for a moment with seriousness, it will be for the purpose of putting an end to it in the minds of all reasonable people.

The circumstances of Mr. Webster's last illness, the autopsy, and the state of his physical system for a period long prior to the Baltimore Whig Convention, are enough to show that his life, under any condition of his personal fortunes, must have ended at about the time when it did end. Although his intellectual faculties, as all the world knows, were splendidly preserved to the last moment, there were functional derangements in his constitution of long standing that were quite sufficient to account for his death, without any theory of moral causes.

These tendencies were, moreover, as I have never doubted, much increased by the fall from his carriage in the spring of 1852, caused by the breaking of some part of the vehicle while he was driving on the hills in the neighborhood of Marshfield. He never fully recovered from the effects of that accident, as a younger man might have done. For two years just previous to this occurrence he had performed an amount of intellectual labor that must have put a severe strain

upon his physical powers, strong as they were by nature. Who that observed what he did after March, 1850, to convince the people of the country that they ought to support the so-called "Compromise Measures"—who added to these voluntary and unofficial labors what his official duties demanded, and who remembered that for twenty years he had been subjected to the perpetual drain of the vital forces that is wrought by an annual catarrh in its severest type—could doubt that the superb physical organization which Nature had given him was wearing out? The friends who saw him at intervals, but nearly and in close personal intercourse during the last five years of his life, had occasion to observe all that can be seen of that wonderful mystery, which preserves a great brain in its appointed operation, while other parts of the system are slowly but perceptibly decaying. Some men of marked intellect die when and because the brain itself is attacked by direct disease of its substance. Webster died with his brain in full activity as the organ of intellect, while other organs, functionally disordered, could no longer perform their normal offices.

With regard to the other branch of the assertion, that Mr. Webster suffered from the pangs of conscience as well as from disappointed ambition, it is enough to say that he never gave any signs of such suffering from the 7th day of March, 1850, to the moment when he breathed his last breath.<sup>1</sup> The whole evidence of what he did in support of the "Compromise Measures" shows that he never for an instant doubted either the political or the moral propriety of his course in regard to them. These, however, it may be said, were "actions that a man might play;" he might, in public, endeavor to convince the world that he was right, and yet he might know that he had done wrong, and suffer accordingly. In that case, it might be expected that, in private and in unguarded moments, something would have escaped from him showing the workings of a conscience ill at ease. But the individual does not live, and never has lived, who, from any means of personal observation,

<sup>1</sup> "Daniel Webster went down to Marshfield to die! He died of his 7th-of-March speech!" ("Works of Theodore Parker," vol. i., p. 242.)

is, or was entitled to say that Mr. Webster ever regretted making the speech which drew down upon him so much wrath. I deny the competency of any witness who has asserted, or professed to believe, that Mr. Webster's last days were embittered by any self-reproach for anything that he had ever done in the political world. That he died with a consciousness of other sin, and in humble reliance on the mercy of God, is highly probable; for he was human, and he was religious. But no person who has given currency to the idea that he was conscious, and remorsefully conscious, that he had sacrificed his anti-slavery principles to his ambition for the presidency, ever had any means of personal observation that could have qualified him to express, or that could have justified him in forming, such a belief, or in encouraging it in others. I doubt if Mr. Parker, for example, ever encountered Mr. Webster personally after the 7th of March, 1850, if he ever did before; and as the public evidence shows that Mr. Webster, in every possible form, down to the time of his death, expressed his adherence to everything he had said on that memorable occasion, personal observation of him in private was of course essential to enable any one to say that he had nevertheless doubts, misgivings, or self-reproaches on the subject.<sup>1</sup> Of witnesses to negative facts, which in this case

<sup>1</sup> "He knew the cause of his defeat, and in the last weeks of his life confessed that he was deceived: that, before his fatal speech, he had assurance from the North and South that, if he supported slavery, it would lead him into place and power; but now he saw the mistake, and that a few of the 'fanatics' had more influence in America than he and all the South! He sinned against his own conscience, and so he fell!" ("Works of Theodore Parker," vol. i., p. 279.) If Mr. Parker had an honest mind, he certainly took remarkably little pains to verify assertions, before he adopted them and gave to them all the currency that he could. Judging from his writings, and allowing him to have been a lover of truth—a supposition that requires some charity—he seems to have had that kind of omnivorous credulity in little things which accepts any statement that may be floating about, provided it can be pressed into the service of the impression which one wishes to produce. What care he took in the formation of his opinions upon great religious and social questions, I am not qualified to judge. But any intelligent person who had a common observation of what was taking place in the world, and who reads Mr. Parker's political discourses, must know that habitually, in his attacks upon individuals, he assumed as true

are very important, there have been, and still are, many entitled to speak. As one of them, I may as well here record my testimony.

I saw Mr. Webster many times in intimate private intercourse, after the speech in question had been made, and before the Baltimore Whig Convention of June, 1852, as well as after that event. That he desired to be nominated by the Whig party for the presidency, and that he had reason to feel, and did feel, hurt by their apparent insensibility to his public services, is certainly true. That he made a speech, in 1850, for the purpose of giving the slave-holding States to understand that he had renounced his former principles, and that in him they might find a champion, a defender, or an advocate of slavery, was a cruelly false and unjust aspersion. It was the fashion among his assailants to put the charge in a form which carried its own refutation within itself to those who would exercise a little reflection, but which was greedily devoured by their excited followers. His plan for reaching the presidency was, they said, to storm the North and to conciliate the South.<sup>1</sup>

He undertook to storm the North by trying to make men believe that the Union was in danger unless certain concessions were made to slavery, when he knew all the while that the Union was in no danger at all. He undertook to conciliate the South by a great "bid" for the presidency, consisting of a vast increase of slave territory and the "Fugitive-Slave Bill." Such a plan, as a means of making himself President, would have been worthy of a politician of a very low grade of both intelligence and character. In a statesman of

things which a little scrupulous investigation would have convinced him were not true. This habit of treating contemporaneous events, great and small, he carried also into the events of past political history, so that he was perpetually giving false colors to the matters of fact with which he undertook to deal.

<sup>1</sup> "Here is the reason. He wanted to be President. That was all of it. . . . This time he must storm the North and conciliate the South. This was his bid for the presidency: Fifty thousand square miles of territory and ten millions of dollars to Texas; four new slave States; slavery in Utah and New Mexico; the Fugitive-Slave Bill; and two hundred millions of dollars offered to Virginia to carry free men of color to Africa."— ("Works of Theodore Parker," vol. i., pp. 229, 230.)



Mr. Webster's capacity and knowledge of the country, to say nothing of his integrity, it would have been the grossest folly. Before he made the speech of the 7th of March, 1850, he was perfectly aware that, if he conceded anything to the South which would result in any increase of the area of slavery, or yielded anything beyond the just constitutional rights of that section, he never could command the votes of a Northern State in the Whig nominating convention; and certainly he could not be made President, or be made the Whig candidate, by Southern votes alone. In judging, therefore, of his imputed plan of storming the North and conciliating the South, there is a question of fact to be settled, which is: Did he, in truth, make any concession to the South in respect to the area of slavery which he was not obliged by existing public compacts to make, or yield anything in respect to the extradition of fugitives from labor that was not demanded by or consistent with the Constitution? It was certainly his own conviction always, as I had abundant means of knowing, that in all these points his attitude was unassailable, if men would be governed by the dictates of truth and justice.

But I wish here especially to put on record what I observed during his last illness. I was with him more than once, alone, after it had become in the highest degree probable that his life would soon end. Public affairs were often alluded to in his private conversations with me, down to the time when he decided not to allow certain of his Whig friends in New York to say that he advised the election of General Scott, the Whig candidate. After that matter had been finally disposed of, he turned his thoughts entirely away from political subjects, and spoke of them no more. But at no time did he utter a word that could authorize any one to believe that there was any act of his public life that caused him the least regret. He regarded the Whig party as denationalized; spoke of it, when he alluded to it at all, as an organization that would be practically withdrawn into the North, and that would in no long time become a sectional party, leaving no national party remaining in the South but the Democratic. This he regarded as a great evil, dangerous to the future welfare of the Union. He did not believe it to be for the good of the country that there

should be a national Administration that was not thoroughly committed to the support of the "Compromise Measures" of 1850, as a full and final settlement of all questions on the subject of slavery on which the national Government could in any way act. It was for this reason that, on his death-bed, he refused to allow any one to say that he wished his friends to vote for the Whig candidate. At the end of twenty-five years, and after reviewing everything that occurred at the time of this great man's death, I declare it as my firm conviction that he died without a shade of regret, or a particle of doubt, on account of anything that he had ever said or done in his public life. That he had no reason to feel either doubt or regret on account of his course in 1850, and afterward, I shall now proceed to show.

In any judgment that is to be passed upon the charge that, in 1850, Mr. Webster sacrificed his anti-slavery principles from an ambitious desire to become President, the first thing to be done is to settle what his anti-slavery principles were previous to that time. The next inquiry will be, What principle that he had ever professed did he renounce, or sacrifice, or in any way abandon? If no renunciation, sacrifice, or abandonment of principle can be found, it will be but rational to conclude that the motive of the speech in question was not a personal one, but that it was made for a patriotic purpose, and from an imperative sense of public duty. In this discussion I shall not ask for any large measure of that indulgence which is accorded to the supposed inconsistencies of statesmen, brought about by new and unforeseen circumstances. It will be seen that I deny all inconsistency, and that I mean to apply the circumstances in which the Union was placed in 1850 to their legitimate bearing, not as reasons for excusing any dereliction of principle, but as proofs that there was no such dereliction; that the speech was morally and politically wise and sound; and that, if its teachings had been heeded and followed, this country would have escaped a civil war.

With regard to Mr. Webster's sentiments and principles on the subject of slavery, as held and acted upon through the whole of his public life, down to the 7th of March, 1850, there can be no uncertainty whatever. He regarded the slavery of

the African race, in certain of the States of the Union, as a great social and political evil, founded originally in a violation of the natural rights of men, and not to be extended beyond the limits within which it was confined at the time of the adoption of the Constitution of the United States. For any further extension that it had received prior to 1850, or for any means or opportunities for such extension, no shade of responsibility rested upon him. He had always resisted every measure occurring while he was in Congress that tended to the acquisition of territory into which African slavery could be carried. But, as every statesman who valued the Constitution of the United States, and as every man who was faithful to the Union, was bound to do, he accorded to the slave-holding States all the guarantees or recognitions of their domestic institutions which the Constitution embraced. He stood, all his life, as much pledged to respect and uphold those guarantees and recognitions as he was to oppose any addition of new slave States to the Union. It was, therefore, a well-known part of his political creed, that the slave-holding States had a fixed constitutional right to the enumeration of their slaves in the basis of congressional representation, unequal as the bargain was by which that right was conceded in the formation of the Constitution; for he held that a public compact must be observed, sacredly and in good faith, just as it had been made. For the same reason, he always recognized the right of the slave-holder to claim a return of a fugitive slave who had escaped into a free State, for this provision of the Constitution had been made a part of the compact between the free and the slave States, by which the new Union was made possible. In respect to slavery in the District of Columbia, over which Congress has exclusive jurisdiction, he considered the time and mode of its removal a question of expediency and discretion, to be governed by its effect on the adjoining States of Maryland and Virginia. In respect to slavery in the "Territories" of the United States, he held it to be the right of Congress to prevent its introduction, and that this right ought to be exercised whenever there should be any practical necessity for it. Upon the general subject of the final removal of slavery in the States, he regarded it as a matter purely do-



mestic to the slave-holding States, exclusively belonging to them as self-governing communities, and not to be acted upon primarily by those whom it did not immediately concern ; although he held that Congress might afford collateral aid to measures of emancipation initiated voluntarily by any slave-holding State. These were the principles, and the only principles, on the subject of slavery, which a constituency, or any individual of a constituency, ever had any right to impute to Mr. Webster as an American statesman. They cover the whole field of the subject, so far as it could come within his action or influence as a public man ; and they were perfectly well known to his contemporaries, in all their extent and with all their limitations.

No man ever had a just right, moral or political, to apply to Mr. Webster's conduct any other standard, when a question of his personal consistency should arise. People who did not like the political principles which he always professed and acted upon in reference to the slavery of the African race might find fault with them ; but to charge him with a sacrifice of his own principles, because they held his principles, or some of them, to be wrong, was just the logical and moral absurdity which his assailants committed after he had made the speech of 1850. For there had grown up, in the course of Mr. Webster's public life, a habit of reasoning, or rather of feeling, on this subject of slavery, which led to a perfect confusion of ideas in the minds of many persons. A certain school of moral agitators had arisen, whose teachings had set up a new standard of civil duties and obligations. These men, resorting to what they called, and perhaps believed to be, the Divine law—which, however, they interpreted and applied very much according to their own purposes—taught that no human law or public compact could be of any obligation if it involved any recognition or sanction of such a wrong as slavery. In their eyes, the Union was a bond of iniquity and the Constitution a covenant with hell. They struck, therefore, at the very foundations of civil obedience and obligation. Whether they were aware of it or not, their principles tended directly to destroy the fundamental moral basis of constitutional compacts and civil institutions, and to substitute in its place a

vague individual interpretation of "the law of God." Whether the civil obligation to surrender a fugitive slave was to be regarded as created by a treaty between the slave-holding and the non-slave-holding States, or as the enactment of a fundamental law to be executed by the Federal Government, it was, they said, contrary to the Divine law, and therefore it was not to be fulfilled. Even if the Union was formed upon the most distinct and solemn recognition of the political truth that slavery was a State institution, exclusively under the cognizance of the people of each separate State, the Union was in this matter an abomination, because it was a covenant with those who lived in a perpetual violation of the law of God, securing and protecting them in that violation. This extravagant radicalism, which it is not easy to describe to younger readers, but which they must examine if they would understand the history of the times about which I am writing, affected not only the popular feeling in the North on all questions and occasions on which the subject of slavery was in any way touched, but, as a matter of course, it became in time more or less infused into the professions of the politicians, who depended for their political support on the popular feeling of the communities where these doctrines had become most prevalent. In fact, these radical and revolutionary doctrines reached some men of high and conspicuous positions in public life, and there are not a few Northern statesmen of that period whose "records," if examined with even less than microscopic scrutiny, would show that they had coquetted, or been more or less tainted, with this false philosophy of civil obligation. Speeches were made and votes were given in Congress, which show how far that radical philosophy had gone to unsettle the moral foundations of civil obedience.

But neither the Northern statesmen, nor the politicians, nor the masses of the people, nor the radical teachers of the Abolition school, had the smallest right to expect to find Mr. Webster adopting any part of this pernicious philosophy because he had denounced the slave-trade, or because he had opposed the extension of slavery, or because he regarded slavery as a great evil. It was extremely foolish and unfair to represent him as unfaithful to his own principles, when those

who assailed him had set up, as a standard of what the principles of a Northern statesman ought to be, something which his principles were not, and which they knew, or ought to have known, had never been, and could not be, held by him. His whole public life had been spent in the inculcation of political doctrines which were the direct opposites of theirs. He had taught, as no man who had been born since the Constitution of the United States was established had ever taught, the value and importance of the Union. He had made the faithful obligation of public compacts the corner-stone of his whole political system. He had once saved the Union from a dangerous heresy, by showing, with a power that no other man has equaled, that the Constitution is a fundamental law, ordained by the competent authority of the people of the United States, and incapable, except by the violence of revolution, of being resisted or disobeyed by local opposition to any of its provisions, requirements, or just deductions.<sup>1</sup>

<sup>1</sup> It is a curious illustration of the *entente cordiale* between the ultra-abolitionists of Mr. Parker's school and the extreme States'-Rights men of the South, in their political theories, that, to the former, Mr. Webster's views of the nature of the Constitution were as unacceptable as they were to the latter. The reason was that, while the Abolitionist set up what he called "the law of God" as the measure of civil institutions, he chose also to maintain, under the Constitution itself, that the States of this Union had a right to judge for themselves what the requirements of the Constitution were. If this could be established as a constitutional right, the "law of God" would come in to guide the interpretation to a denial of every kind of sanction to anything that was obnoxious to a local sentiment. Thus Mr. Parker, in his *critique* on Mr. Webster's celebrated argument against Nullification, plainly intimated that the South Carolina doctrine was right. He said that the question was "a deep one;" that it was "the old issue between Federal power and State power;" that Mr. Webster was always "in favor of a strong central Government," and "seldom averse to sacrificing the rights of the individual States to the claim of central authority." Although he praised Mr. Webster's argument for its "massive intellectual power of statement," he did not consider it "just in its political ethics, or deep in the metaphysics of politics, or far-sighted in its political providence." He bestowed one of his characteristic sneers upon the doctrine that the Supreme Court is the final interpreter of the Constitution—which, he said, made not the Constitution, but the discretion of the rulers, the measure of its powers. This was exactly Mr. Hayne's objection. The whole object of this disparagement of the con-

Even in that magnificent oration of 1830, in which he defended the supremacy of the Constitution against the Nullifiers, and displayed its foundations in the principles of all sound political philosophy—that immortal speech, which so wrought into the Northern understanding the supreme value of the Union that the war for its preservation became, thirty years afterward, a possible success—even then he did not set liberty above the Union, or sever it from the Union, but he welded them together in that imperishable sentence which declares that “now and forever” they are “one and inseparable.” Again and again did he say in Congress, in office, and on the hustings, that, while he would not consent to any further extension of slavery, he would do nothing, would consent to nothing, that should give the slave-holding States just cause to believe that their right to deal with slavery within their own limits, according to their own sovereign pleasure, was in danger of being questioned. In short, there existed no ground whatever, in his public conduct prior to 1850, on which his Northern assailants could have rightfully expected him to yield one iota of recognition to their principles of determining his duty as a statesman in the dangerous crisis that culminated in that year.

What that crisis was, the generation of Americans whom I wish especially to reach will need to take some pains to understand. Texas, an independent country of vast but undetermined extent, was in 1845 admitted into the Union as a slave-holding State; and admitted, too, under a compact which gave her a right at any future time to make out of her territory four other new States, with or without slavery, if formed south of the parallel of  $36^{\circ} 30'$ , as the people of such new States might choose. This stipulation, forming a contract between the United States and the State of Texas, and formally consented to by Congress, had pledged the public

stitutional doctrine maintained by Mr. Webster was to inculcate the idea that Massachusetts, guided by “the law of God,” could nullify an act of Congress by a power reserved to her under the Constitution. (*See the “Works of Theodore Parker,”* vol. i., pp. 198–201.) Mr. Parker was a good representative of the school of which he was a distinguished leader.

faith to its fulfillment.<sup>1</sup> Upper California, in 1846, when the news reached San Francisco that the United States had declared war against Mexico, had been seized by the forces of the United States; an immense immigration poured into it; the treaty of peace transferred it to the United States; and in 1850, no Territorial government having been provided for it by Congress, the State of California presented herself for admission into the Union, with a constitution prohibiting slavery. Still another great tract of country, comprehending what is now New Mexico, Arizona, and Utah, was ceded by the treaty of peace to the United States. There was no African slavery in any of these regions excepting Texas; but the boundaries of Texas and New Mexico were as yet undefined, and their settlement in some way was absolutely imperative if the peace of the Union was to be preserved.

These acquisitions of foreign territory had been made in the expectation and belief, entertained by the slave-holding interest, that they would afford the means of a large addition to the area of slavery, and so would increase the political power of the slave-holding States in the General Government, besides affording an outlet for their surplus African populations. This policy of a further extension of slavery, as a means of defense against the aggressive tendencies of the Northern anti-slavery agitations, was a great error on the part of the Southern men who devised and of the Northern men who assisted it. It introduced into the politics of the country an issue that should have been kept out of them, and one that rendered it exceedingly difficult for Northern conservatives to defend the just constitutional rights of the slave-holding States. The true policy of those States was a strictly defensive one, and not one that sought to be defensive by being aggressive. If slavery had been left where it was before the Mexican war was undertaken for the purpose of obtaining for it a new area, there was a reasonable certainty that the States in which it then existed would be left, under the guarantees and protection of the Constitution, to work out, in their own

<sup>1</sup> Mr. Webster was not in Congress when Texas was admitted into the Union.



time and mode, that gradual emancipation which an advancing civilization would have demanded, and for which it would have found practical means, without endangering the constitutional autonomy of the States. But, while the North was growing richer and more powerful, and the South was becoming poorer and weaker, the fatal mistake was made by the South of regarding slavery not as a social evil but as a social advantage, and as an institution or condition to be defended, by increasing its political power in the Federal Government, and by securing an enhanced value of slave-property through an extension of the regions in which it was supposed African slavery could be profitably employed. This mistaken policy helped to stake the whole question of future emancipation upon some convulsion that would make it a work of violence and bloodshed, instead of a peaceful and suitable legislation by those who should have retained the fate of the negro and of themselves in their own hands, and have treated emancipation as the joint interest of both master and slave. The tendencies and errors of this policy of extending the area of slavery were watched by Mr. Webster with the utmost vigilance and anxiety. He clearly foresaw to what it was inevitably leading; and any one who wishes to pass a true judgment upon the means which he took to counteract it, must embrace in the survey what he could and did do before 1850, and what he could and did do at and after that time.

Prior to 1850, whenever and wherever he could do anything, he resisted every acquisition of territory into which slavery could be carried. Even his bitterest enemies have never found fault with his public conduct on the subject of slavery before 1850, but, on the contrary, they have exalted it to the skies in order to make his alleged apostasy from "the cause of freedom" the more damning. But when his efforts to prevent the success of the Southern policy of territorial extension had been overborne by the Northern votes that might have defeated it, what remained for him to do in the crisis of 1850, which he could do consistently with his known public principles and his duty as an American statesman? Clearly there remained nothing whatever for him to do, excepting to leave the whole subject of slavery, so far as he could act upon

it, in a condition in which the chances for its peaceful extinction would be at least enhanced, and possibly be secured against future accidents or disturbances. Before 1850, the means that he took to counteract the Southern policy were to resist all acquisitions of more territory. In 1850, the only remaining duty that he could perform was to secure the country, in so far as he might, against the dangers of a disruption of the Union. There remained no mode in which this could be done, excepting to show that slavery had now reached its utmost limits; that all men of all sections must now cease to contend about it politically; that where it existed it must be left, with such guarantees as the Constitution had given to it, for a peaceful extinction, if we were to escape its extinction by war and bloodshed. In the condition of the Union, therefore, in 1850, what Mr. Webster had to do could not be done, or attempted, without placing the whole existing controversy between the two sections exactly where he placed it on the 7th day of March.

That controversy, which raged with exceeding violence when Congress assembled in December, 1849, and through the greater part of the session, must be considered with reference to some of the details of the situation—a situation that involved far greater hazards for the peace of the Union than any that had existed since the Constitution was established. In the first place, the admission of California as a free State was strenuously resisted by the South, and as strenuously insisted upon by the North. To secure her admission with the free constitution which the people of the State had chosen to make, was a point of the utmost importance to the North. In the second place, Territorial governments had to be provided for New Mexico and Utah, and this required a settlement of the boundaries between New Mexico and Texas. On the one hand, it was demanded by many northern representatives that the “Wilmot Proviso”—a restriction, that is to say, against the introduction of slavery—should be applied to the new Territories. This was violently opposed by Southern men, either because they believed that those Territories could profitably receive slave-labor, or because they regarded the restriction as an indignity to their section. To establish Territorial govern-

ments for New Mexico and Utah was another point of the utmost importance. In the third place, a necessity had arisen for some new legislative provision for the execution of that clause of the Constitution which required the surrender of persons held to labor by the laws of one State who had escaped into another. Some of the free States had passed laws making it a penal offence for their own officers to render any aid in apprehending or securing fugitives from labor, and refusing the use of their jails as places of detention until a trial could be had. The feeling between the two sections on this subject had risen to an excitement which can hardly be understood but by those who lived through it, and which rendered a sober and proper settlement of all the other questions exceedingly difficult. Finally, there were many minor topics of crimination and recrimination between the North and the South which did not come within the domain of Federal legislation, but which added further fuel to the flames of a dangerous controversy. As the session of Congress wore on, there came about an almost entire suspension of all business excepting that which related in some way to the all-absorbing topic of slavery. Day after day inflammatory speeches on the one side and the other were poured forth for the gratification of constituents, without one word being uttered that could tend to a practical solution of the difficulties or to the security of the public peace, until Mr. Clay came forward with his plan for adjusting them all in one settlement. In the midst of these sectional clamors, three things were apparent to Mr. Webster: First, that if this session of Congress were allowed to pass by without a final settlement of every question in relation to slavery on which Congress could legitimately act, the peace of the country would be left exposed to great hazard. Secondly, that to draw the line between measures on which Congress could legitimately act and matters which must be remitted to the domain of public sentiment, was, in the existing state of things, essential to the accomplishment of any good. In regard to measures, what Mr. Webster had to do was to point out the practical course by which the legislation could be so shaped that both sections of the Union could gain what it was for their mutual interest to gain, without the loss



of anything by either which it was for its interest to save. In regard to matters of mere feeling, he considered it his duty, while treating the opposite sections with absolute impartiality, to tell each of them plainly what it needed to modify or correct. Finally, it was apparent to him that, if this session of Congress could be made to terminate with a final settlement of all the slavery questions on which Congress had any remaining power to act, no further political question concerning slavery could thereafter arise to disturb the relations of the two sections. The Missouri Compromise line of 1820, the repeal or disturbance of which was not to be anticipated, had settled that freedom was to be the condition of all territory north of the parallel of  $36^{\circ} 30'$  which had been acquired from France. The problem now was, how to treat the territory which had been acquired from Mexico. When that question had been settled the limits of slavery would be fixed, and it would remain in its limited sphere, for that gradual extinction to which the earlier patriots of both sections had looked forward, when they provided for such guarantees and recognitions as they gave to it in the Federal Constitution. To gain the assent of Northern and Southern men to some safe basis on which to rest a settlement of this whole difficulty, was the object of the speech of the 7th of March.

Mr. Webster, in this speech, took his stand upon the proposition that, at that moment, there was not a foot of land within the United States, or any Territory of the United States, the character of which, as free territory or slave territory, was not then fixed by some law, and some irrepealable law, beyond the power of the action of the Federal Government. He proved this as to Texas by the compact which had admitted her into the Union as a slave State, with a right to create out of her territory four other new slave States south of  $36^{\circ} 30'$ . He proved it as to all the remaining territory by the condition of the country, which could not sustain slave-labor, and which was therefore fixed, so far as it could ever be occupied at all, for freedom, by a physical law which he said was superior to all human enactments. This, he said, rendered it unnecessary to apply to this region the restriction of the "Wilmot Proviso," which he declared he would not

apply under circumstances in which the South would regard it as an indignity. Now, it is a little remarkable that this wise, comprehensive, practical, and statesman-like view of the whole subject should not have at once commanded the assent of all Northern men who did not wish to keep up an endless sectional controversy. Every word that Mr. Webster said about it was absolutely true. The "Wilmot Proviso" could not be applied to any part of Texas, nor could Congress change the compact with her without a breach of the public faith. The Proviso did not need to be applied to New Mexico, and it could be applied there only as an abstraction. Mr. Webster took great pains to inform himself of the condition of that country, and we now know that he was entirely right when he pronounced it, from physical causes, incapable of becoming a slave-holding Territory or State. The same thing was true of Utah.

Here, however, was the gravamen of one of the charges brought against him: that he had abandoned a vast country to slavery; had derided the principle of the "Wilmot Proviso"; and had gone over to the South, in the base hope of being made President as a reward for his apostasy from "the cause of freedom." I greatly doubt if posterity will take this view of his conduct. Fair-minded men, who may hereafter make an intelligent study of this part of our political history, with feelings unaffected by the passions and prejudices of our time, will do Mr. Webster the justice that was denied to him by many of his contemporaries. They will see that, as to Texas, he was absolutely right; that, as to the remaining territory, it was safe, proper, and sufficient for him to rely upon the natural laws that excluded slavery; that, as to the "Wilmot Proviso," he not only never abandoned it, but he gave to it all the value it ever had, when he declared, as he did with great force, that, wherever there was a substantive good to be done, wherever there was a foot of land to be prevented from becoming slave-territory, he was ready to assert the principle of the exclusion of slavery; and that it was wise and becoming for him, as a man whose words were of weighty import to the welfare of his country, to add that he would not do a thing

unnecessarily that would wound the feelings of others, or that would discredit his own understanding.

But perhaps the most virulent of all the assaults that were made upon Mr. Webster on account of his political conduct, from the 7th of March, 1850, to the time of his death, was that which related to his support of the so-called "Fugitive-Slave Law." It is undoubtedly true that many persons were sincerely pained by what he said and did on this subject, who were not disposed to take any part in the efforts of his enemies to do him injury. But it is equally true that both classes—both the Abolition agitators and those who were not in any sense unfriendly to him—did him injustice: the one by gross misrepresentation, and the other by not duly considering the obligations that rested upon him and all other Northern men who meant to fulfill their constitutional duties. The people of the South were unquestionably entitled to have an efficient law enacted by Congress for the execution of the extradition clause of the Constitution. There was no possible escape from the obligation of that clause, excepting to take refuge in the doctrine of the Abolition school, that it could be nullified by "the law of God," or by the alleged reserved right of the States to determine the powers of the Constitution. If there had ever been a time when that clause could have been construed as devolving on the States the duty of making the extradition, that time had long gone by. The law that was enacted by Congress in 1793, and that was signed by Washington, had been acquiesced in by the whole country, and had been executed, until several of the Northern States, stimulated by the Abolitionists, had forbidden their own officers to aid in its execution. When this had occurred, the Supreme Court of the United States, in 1842, pronounced the law of 1793 to be a discharge of a duty exclusively devolved upon the General Government by the Constitution.<sup>1</sup> But this law relied for its execution on State magistrates, as well as on the judges of the Federal courts; and when several of the States had forbidden their magistrates, under severe penalties, to be concerned in its execution upon fugitives from labor, while they

<sup>1</sup> *Prigg vs. The Commonwealth of Pennsylvania*, 16 Peters' R., 539. Mr. Justice Story delivered the opinion of the Court.

left them at liberty to act in the extradition of fugitives from justice—making thus a distinction invidious against the slave-holder—it became necessary to increase the number of Federal magistrates for the execution of this duty. It became necessary also to regulate by new provisions the evidence that the master was to produce in support of his demand, in order that the identity of the person who had escaped, and his condition of servitude, might be duly proved.

The great objections that were made against the law of 1850, aside from those which were urged by men who intended that the Constitution should not be executed by any law whatever, were, that it did not provide for any trial by jury, but left the question of personal liberty to be decided by a magistrate called a “commissioner;” and that the evidence which was to support the demand could be manufactured in the slave State from which the alleged fugitive was said to have escaped. It does not concern the present purpose to discuss the reasonableness of these objections; but the degree of Mr. Webster’s responsibility as a legislator for any of the details of the law of 1850 is proper to be here stated with precision.

When he made his speech on the 7th of March, a bill on this subject, prepared by Mr. Mason, of Virginia, was before the Senate. Mr. Webster, in the course of some strong but entirely dispassionate remarks concerning the obligation of the free States to consent to the faithful execution of this clause of the Constitution, and the necessity for further legislation, announced his purpose to support Mr. Mason’s bill. Mr. Mason’s bill did not contain any provision for a trial by jury, and it did contain provisions as to the mode of proof, which made it obnoxious to many persons. Mr. Webster was afterward charged with as much responsibility for what the bill, when enacted into a law, did and did not contain, as if he had been its author. The charge was grossly unjust. What he said about the bill was in these words :

“As it now stands, the business of seeing that these fugitives are delivered up resides in the power of Congress and the national judicature; and my friend at the head of the Judiciary Committee has a bill on the

subject now before the Senate, which, with some amendments to it, I propose to support, with all its provisions, to the fullest extent."

This was a clear statement of his purpose to amend Mr. Mason's bill; and it is a well-known fact that Mr. Webster had prepared a bill of his own, containing, among other things, a provision for a trial by jury. This bill he presented to the Senate on the 3d of June. Mr. Mason's bill had not then been acted upon. On the 23d of July Mr. Webster became Secretary of State, under President Fillmore, who had succeeded to President Taylor, who died on the 10th. Mr. Mason's bill did not pass the Senate while Mr. Webster was a member of that body.

But then, Mr. Webster "supported" the law after it had been passed—called upon the people to obey it, and did everything that he could do, officially and unofficially, to secure its execution. What else could he do? Was he to join those who maintained that a statute could be nullified by "the law of God"? The men who carried on *that* kind of agitation forgot that society can have no rule of administrative action but that which is ordained by civil authority, and that "the law of God," interpret it as we may, can be administered by civil tribunals only when it is in some way a part of the law of the land. Or, was Mr. Webster to join those who denounced this statute as unconstitutional, because it did not provide for a trial by jury, but committed the question of servitude and of personal identity to the decision of a single officer? The law was not unconstitutional for that reason, or for any other, if the Supreme Judicial Court of Massachusetts, presided over by one of the greatest judges that America has ever produced, was a competent authority to pass upon the question. In the first case that arose in New England (at Boston, in April, 1851), in which the law was fully executed, the Commissioner heard arguments against the constitutional validity of the law, running through several days. After he had rendered his decision and had signed the warrant of extradition, Chief-Justice Shaw, then presiding over the full bench of the State court, sent to him a personal request that he would delay its execution until the court could hear an application for a *habeas corpus*, for which a



petition had been presented by the counsel for the fugitive. The request was complied with, and the Marshal was instructed to wait the decision of the court. .

The counsel of the prisoner were then heard in the State court on all the objections to the law that they wished to urge, and they acquitted themselves of their duty with great learning and ability. The Chief Justice afterward pronounced the unanimous decision of the court, that the law was free from constitutional objection. Then, and not until then, the extradition took place.<sup>1</sup>

Let the reader now take a map of the United States, and draw a cordon around the area of slavery as it was ascertained by the settlement of the "Compromise Measures." He will see that this line, commencing on the Atlantic coast and running westerly by the northern boundaries of Delaware, Maryland, Virginia, and Kentucky, until it reaches the confluence of the Ohio and Mississippi Rivers, ascends the Mississippi until it embraces the State of Missonri on the western side of that river, then passes due south by the western

<sup>1</sup> "He" (Sims, the fugitive) "was on trial nine days—arraigned before a slave-act commissioner—and never saw the face of a judge or any judicial officer but once. Before he could be removed to slavery, it was necessary that the spirit of the Constitution should be violated—that its letter should be broken—that the laws of Massachusetts should be cloven down—its officers, its courts, and its people, treated with contempt. The Fugitive-Slave Bill could only be enforced by the bayonet." ("Works of Theodore Parker," vol. i., p. 67.) Perhaps it may be thought by some persons that it was unnecessary to have taken so much notice of Mr. Parker's utterances as I have done. But he was an active and contemporary witness of what took place in these occurrences; his published works—how extensively read I know not—are among the sources to which more or less attention may be paid in regard to facts as well as opinions. He was, moreover, a man of no inconsiderable reputation as a scholar, a preacher, and a thinker. It is, therefore, not unimportant to see how far he is a truthful or reliable witness to things occurring in his own immediate neighborhood, and in which he was in some sort an actor. In the volume of his works now before me there are three or four elaborate discourses, largely occupied with denunciations of the "Fugitive-Slave Law." Yet he nowhere refers to the fact that the Supreme Court of Massachusetts—a perfectly independent and a very eminent tribunal—pronounced the law to be constitutional. The decision may be found in the 7th Cushing's R., p. 285.

boundaries of Missouri and Arkansas until it strikes the northern boundary of Texas, and then passes around Texas, as the western limits of that State were ascertained by the settlement of 1850, until it reaches the Gulf of Mexico at the mouth of the Rio Grande. The States, therefore, in which slavery then existed and to which it was confined, were Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Missouri, Arkansas, and Texas. Of these thirteen States, the first six were original parties to the establishment of the Constitution; the remaining seven had been since admitted into the Union as slave States under all the guarantees and provisions of the Constitution, on an equal footing with all the other members; and one of the seven—Texas—had been admitted as a slave State on the same footing, with an additional right to make four more slave States south of the parallel of  $36^{\circ} 30'$ , which had made it possible to increase the whole number of slave States to seventeen, although, as the event proved, Texas never availed herself of this right. With regard to the condition of all the territory of the United States lying outside of these thirteen slave States, and then the property of the United States, slavery was excluded by the Missouri settlement from all the region of country north of  $36^{\circ} 30'$  that had been ceded to the United States by France at the time of the Louisiana purchase. From all the territory ceded by Mexico to the United States African slavery was excluded, by the natural incapacity of the country to make it a profitable form of labor, or to afford any inducement to extraordinary efforts for its introduction. The area of slavery was therefore ascertained by the settlement of 1850; and if, thereafter, no efforts should be made to repeal or disturb the Missouri settlement of 1820-'21, slavery could advance no further. It was thus left in a circumscribed condition, with no outlet in any direction—left to be operated upon by those causes which could be reasonably expected, in the process of time, to lead to its peaceful extinction. But in order that those causes might operate freely—in order that their operation might be left with those whose interest it was to give effect to them as fast as prudence and the welfare of all would allow, it was essen-

tial that the stipulated constitutional right of the individual slave-holder to demand a return of the fugitive from labor, should be admitted and made practically secure. So long as this right existed as a constitutional provision, and so long as it was practically denied, the denial was a cause of irritation, which could not but operate to prevent the slave-holding States from considering or acting upon measures for the amelioration or final extinction of a bondage that was bad for all who were affected by it. No calm observer, who lived through the period from 1830 to 1850, could fail to see how the Southern sentiment concerning slavery was changed by the anti-slavery agitation that brought about an unwillingness in the North to comply with constitutional requirements. After giving all the weight that should be given by considerate history to the effect on Southern sentiment of the introduction and vast expansion of the cotton culture, there remains a great influence in the wrong direction, to be ascribed to those who conducted the Abolition agitations in the North. I say, therefore, that Mr. Webster, who had always deprecated this unfortunate and unnecessary influence upon the Southern feeling in regard to slavery, was actuated by wise, far-seeing, and correct motives, when he regarded the fulfillment of the constitutional stipulation for the return of fugitives as essential to the security of the only condition in which the master could begin to contemplate the natural rights of the slave and his own best interests. Southern opinion about slavery was in a wrong state, produced by causes that were extremely powerful, for one of which the North was solely responsible. Was it best to aggravate the operation of these causes, or was it best to remove all of them that could be removed? It seemed, and it was, a great individual hardship, that a man who had escaped from a bondage into which he was born, to a community where such bondage was unknown, should be carried back; but, as the slavery of the African race stood in the South in 1850, and looking at the only possible mode in which its amelioration or extinction by peaceful means could then be hoped for, it was undoubtedly, in any comprehensive view of the subject, for the present and the ultimate interest of the great body of the colored race that the constitutional stipulation for the



return of fugitives should be faithfully fulfilled. All could not escape; the majority could not escape; the great mass must remain. The Abolition leaders used to boast of the numbers that were run off by "the underground railroad." No doubt they were considerable; but every one that was thus deported, and was not returned, helped to tighten the bonds of his brethren who remained behind. This was a consideration which might well be regarded by any Northern statesman who felt the force of a plain constitutional provision. A statesman who means to discharge his whole duty to mankind must often consent to that which, taken in its individual and separate instances, causes much suffering to innocent men. It is a great individual hardship to be pressed or conscripted into military service; it is a great individual hardship to be killed in battle; it is a great individual hardship that men's necessities should oblige them to pursue occupations dangerous to life or health: but do we therefore say that there shall be no compulsory military service, that men shall not be killed in battle, or be engaged in dangerous employments?

It is necessary now for the reader to observe how the settlement of 1850, as a means of putting an end to further sectional controversy on the subject of slavery, was frustrated; and how the Union became again involved in new strifes and collisions, which ended in a civil war that drenched the land in blood, and entailed upon it a public debt which will burden it for ages yet to come. It is no part of my purpose to discuss at any length the question whether the removal of slavery, as a consequence or result of that war, was a boon too dearly purchased. On that topic, as well as on the methods that were taken for the immediate transformation of the emancipated slaves into voters, and all the consequences which that measure entailed upon the Southern States, I do not now propose to treat. My present object is to vindicate the memory of a statesman by whose influence the settlement of 1850 was largely promoted, and without whose aid it could not have been secured; and in order to make that vindication, it is necessary to describe his motives and aims, viewed from the position in which he stood and acted, together with what he could fore-

cast for the future, in contrast with those events and causes which produced, in 1861, the attempted secession of the Southern States, the Civil War, and all its consequences. I am perfectly aware that if Mr. Webster's course, in 1850 and afterward, is to be rightfully imputed to a base desire to reach the presidency by concessions to the pro-slavery spirit of his time, it is quite easy to charge him with more or less responsibility for the subsequent further developments of the ultra claims of the South.

But the rational question is, whether the imputation of the alleged motive for his course in 1850 is a just imputation; and this question can be determined by candid men only by a fair and dispassionate understanding of his purpose in promoting the settlement of 1850, and by observing how that purpose became frustrated by causes which no man could then foresee, which no man was bound to anticipate, and for which he, of all men, should not be held responsible, both because they came into operation after he had been laid in his grave, and because those who contributed, on the one side and the other, to put them in operation, acted in disregard and defiance of the settlement which he advocated and secured in 1850.

I have described the leading principles of the settlement in which Mr. Webster, in 1850, advised both sections to concur, as resting, in respect to the ascertained area of slavery, on the constitutional rights of the then slave-holding States, on the exclusion of slavery by the Missouri Compromise from all the territory of the United States acquired in the Louisiana purchase, and lying north of  $36^{\circ} 30'$ , and on its exclusion from all the remaining territory derived from Mexico, by a law which he considered superior to all human enactments—the incapacity of the country to sustain slave-labor. I maintain that he looked forward to the time when slavery, thus circumscribed, could begin to be dealt with, by the people of the States in which it existed, for its amelioration and final extinction; and I further maintain that his anxiety to secure an efficient execution of the constitutional stipulation for the return of fugitives was dictated both by a sense of constitutional obligation and by the conviction that it was essential in order to bring about in the Southern States a disposition to consider

and act upon their own social condition, as a matter fully and practically acknowledged by the North to belong exclusively to the people whom it concerned. I do not hesitate to assert for him this motive, for it was a rational motive; and in judging of the conduct of such a statesman as Mr. Webster, unless the evidence of bad motives is too strong for the suggestion of good ones, it is more reasonable to impute those which are pure and praiseworthy than it is to impute those which are the reverse.

Passing on, then, from the settlement of 1850, the reader who carefully investigates the history of that time will find that, notwithstanding the efforts that were made in the North to produce a condition of public opinion which would show that the settlement was accepted as final, it was not so accepted by large masses of the people. The Democratic party, in general, so accepted it, and their public organs pledged them to maintain it. As for the residue of the people of the free States, they had become divided, before Mr. Webster's death, into several different factions, all of which, with the exception of that portion of the Whigs who adhered to the settlement of 1850 as final, rejected and denounced it. These consisted partly of a body of men, composed chiefly of former Whigs, who took for themselves the name of the Free-Soil party. Another party, calling themselves the Free Democracy, or, in the political nomenclature of the time, "Barn-burners," were seceders from the old Democratic party. Then there was another organization, calling itself the Liberty party, whose distinctive creed was a denial that the Constitution of the United States authorized or allowed slavery, or that it was even legal in any State. Out of these various elements, more or less fused together, there was formed a strong political, anti-slavery party, considerable in numbers, and large enough to hold the balance of political power in some of the Northern States. In this party there were leading men who remained nominally among the old Whigs, but who remained connected with that organization for the purpose of preventing its nomination of Mr. Webster, or Mr. Fillmore, as its candidate for the presidency in 1852. In this they succeeded. The Baltimore Whig Convention nominated General Scott as

its candidate, but with a "platform" which the anti-slavery party regarded as "pro-slavery;" nevertheless, General Scott's letter of acceptance, his personal surroundings, and many other circumstances, left it doubtful whether the settlement of 1850 could really be regarded as having the support of the Northern Whigs as a political party. The result was that General Pierce, the candidate of the Democratic party, secured a sufficient number of electoral votes to be chosen President in the autumn of 1852. In the mean time the political anti-slavery party, gathering fresh accretions in consequence of the success of the Democrats, became more and more consolidated, and were ready to take advantage of any occurrence that would appear still more to identify the Democrats with the supposed interests and aims of the slave-holding South. The professed and official creed of this political anti-slavery party did not overstep the limits of the Constitution, inasmuch as they claimed that slavery was sectional, not national—belonging to the States, and not to the Federal Government. They aimed, therefore, as they said, to separate the nation from slavery, and leave it to the States which tolerated it. But two things tended strongly to prevent the Southern people from confiding in this profession: first, that the leaders of this party perpetually and violently denounced the settlement of 1850, which had itself separated the nation from slavery, so far as was consistent with the Constitution; second, that they had a strong and active ally in this warfare in the "moral" anti-slavery party, consisting of the Abolitionists, who limited themselves not at all by constitutional, but only by what they called "moral," restrictions; who would not be satisfied until there was not a slave in America; and who declared that slavery must come down "with a great crash," if it could be gotten rid of in no other way.<sup>1</sup>

<sup>1</sup> "Now is the time (1854) to push and be active, call meetings, bring out men of all parties, all forms of religion! Agitate, agitate, agitate! Make a fire in the rear of the Government and the representatives. The South is weak, only united. The North is strong in money, in men, in education, in the justice of our great cause, only not united for freedom. Be faithful to ourselves, and slavery will come down; not slowly, as I thought once, but, when the people of the North say so, it shall come

In this condition of things events occurred which were certain to reopen, in Congress and in the country, the door which had been closed in 1850, and to precipitate the whole nation into a new sectional conflict. In an evil hour, a Democratic Northern Senator—Mr. Douglas, of Illinois—took the lead in a proposal to remove the Missouri restriction, which was, as to the regions now constituting Kansas and Nebraska, the corner-stone of the settlement of 1850. That restriction had rested for thirty years as part of a compact made between the North and the South; and in the settlement of 1850 it had been assumed to be, as it was, a compact that could not in good faith be disturbed, inasmuch as its enactment as a fundamental and perpetual law was the chief consideration for which Missouri had been allowed to come into the Union as a slave State.

It was now (1854) proposed by Mr. Douglas that this restriction should be removed as an unconstitutional exercise of power by Congress; so that, in effect, Kansas and Nebraska would be laid open to a struggle for occupation by pro-slavery or anti-slavery settlers, upon the theory that the settlers on the national domains ought to be regarded as having the sovereign right of shaping their social institutions as fully as if they were already a State.<sup>1</sup> It was a fatal day for the South, and for the peace of the Union, when Southern men accepted this repeal of the Missouri Compromise—tendered to them however, it must in justice be remembered, by a Northern Senator. Their acceptance of it was a fatal error, not only because it destroyed the settlement of 1850, but because it gave to the whole anti-slavery party of the North what they regarded as a new political Godsend, by furnishing them with the means of further political action on the whole subject of

down with a great crash!" ("Works of Theodore Parker," vol. i., p. 423.) "I say the South is the enemy of the North. England is the rival of the North—a powerful rival, often dangerous; sometimes a mean and dishonorable rival. But the South is our *foe*—far more dangerous, mean, and dishonorable." (*Ibid.*, p. 355.)

<sup>1</sup> "Squatter sovereignty" was the cant political name for this absurd doctrine, which was as inconsistent with the constitutional relations of a Territory with Congress as it was with sound policy.



slavery. The famous Dred Scott case soon followed. A majority of the judges of the Supreme Court of the United States, in the vain hope that it was in their power to put an end to all strife between the two sections, decided, in 1857, that Congress had no constitutional power to prohibit slavery in a "Territory." The effect of this in the North was just what all rational observers foresaw that it must be. It gave a new impulse to the consolidation of all the elements that had been for three years gathering into a Northern and sectional party; and although the Democrats had sufficient remaining force to elect Mr. Buchanan President in 1856, their party, which had, by the repeal of the Missouri Compromise, deprived itself of all opportunity to fall back and to rest upon the settlement of 1850, was swept out of power by the great sectional Northern organization which had come into the field as the Republican party, and which elected Mr. Lincoln in 1860. This portentous occurrence—the first election of a President of the United States on sectional issues, and by the votes of the free States alone—was produced by events that ought never to have been allowed to occur, and that never could have occurred if the settlement of 1850 had been adhered to. The madness of secession, as a remedy against the dangers with which the South thought itself threatened, soon followed the election of Mr. Lincoln. The first gun was fired on Sumter, and "the great crash" in which slavery was to go down, as the men of "moral ideas" hoped and believed, came sooner than even they had calculated.

I have recounted these things as matters of history, because they show with great distinctness that Mr. Webster's course in 1850 was the true one. It was based upon the conviction that it was better to ascertain the fixed area of slavery, and leave it to the action of those whom it most concerned, for a final extinction, without an interference that could not be exerted within the limits of the Constitution, than it was to increase the hazards of secession by the Southern States as a means of maintaining their exclusive authority over it, thereby incurring the necessity of a war for the preservation of the Union.

I now desire the reader to recur to the speech of the 7th

of March, 1850, and to note how calmly, and yet with what power, Mr. Webster explained to both sections how the area of slavery was then limited; how plainly, but how kindly, he told the people of the South that their feelings and opinions about slavery were not what the feelings and opinions of their fathers were, and how contrary to the just expectations of the North had been all the efforts and measures for its extension; how frankly he declared that he would assert the principle of the "Wilmot Proviso" whenever and wherever there should be any practical necessity for it, but that he did not propose to assert it as a mere taunt or reproach; how grandly he rebuked the Southern spirit of secession, and how forcibly he displayed the impossibility of a peaceable separation of the States upon any line that the human imagination could conceive or that human ingenuity could draw. If, turning to the other side of the chapter, he told the North, with equal firmness, that the South had a constitutional right to the full execution of the extradition clause of the Constitution, and that the Abolition societies and agitations had produced mischief, and only mischief, was it not all true? When he told the State of Massachusetts that, while he would gladly pursue her instructions in any matter in which she had an interest of her own not adverse to the general interests of the country, he would not regard her instructions upon any question which equally affected the interests of all the States, did he say anything that did not become an American Senator? Doubtless he said a great deal in this speech which was very unacceptable to those whose minds were at a fever-heat of excitement, and who could not bear to be told that they were wrong. But is the whole of that unimpassioned and comprehensive advice, which he so calmly gave to both sections of the Union, to be read in after times as if it were nothing but a "bid" for the presidency, or an effort to storm the North and conciliate the South in his own selfish interest? If his object had been to do anything for either section at the expense of the other, he could easily have raised a "storm" from which nothing but the thunderbolts of civil war could have relieved the overcharged elements of the political atmosphere. He might have put himself at the head of all the anti-slavery forces of the

North, and thus have precipitated the attempt to break up the Union which came ten years later, when he could no longer interfere for its safety. That he did not and would not do so, was his crime in the eyes of those who hated both Union and Constitution for the sanction which they had given to slavery. In the judgments of another age it will be accounted to his glory that he aimed to preserve the Union for a better day, when slavery could be ended without civil convulsion and without blood.

I have reserved to this connection one of the paragraphs of the speech which was most bitterly assailed by the professed friends of the negro, but which proves that Mr. Webster, as I have claimed for him, looked forward to peaceful emancipation, after the settlement of 1850 should have secured the operation of causes by which it could be brought about. On this subject he expressed himself thus :

“I have one other remark to make. In my observations upon slavery as it has existed in this country, and as it now exists, I have expressed no opinion of the mode of its extinguishment or melioration. I will say, however, though I have nothing to propose, because I do not deem myself so competent as other gentlemen to take any lead on this subject, that if any gentleman from the South shall propose a scheme to be carried on by this Government upon a large scale, for the transportation of free colored people to any colony or any place in the world, I should be quite disposed to incur almost any degree of expense to accomplish that object. Nay, sir, following an example set more than twenty years ago by a great man, then a Senator from New York (Rufus King), I would return to Virginia, and through her to the whole South, the money received from the lands and Territories ceded by her to this Government for any such purpose as to remove, in whole or in part, or in any way to diminish or deal beneficially with, the free colored population of the Southern States. I have said that I honor Virginia for her cession of this territory. There have been received into the Treasury of the United States eighty millions of dollars, the proceeds of the sales of the public lands ceded by her. If the residue should be sold at the same rate, the whole aggregate will exceed two hundred millions of dollars. If Virginia and the South see fit to adopt any proposition to relieve themselves from the free people of color among them, or such as may be made free, they have my full consent that the Government shall pay them any sum of money out of the proceeds of that cession which may be adequate to the purpose.”

This suggestion was furiously denounced as one of the chief ingredients in Mr. Webster's “bid” for the votes of the South,



by the proposal of a plan for "the expatriation of the free colored people from their native soil." But what was the offer itself, and what did it contemplate? We must transport ourselves back to the period when Mr. Webster was speaking and acting; we must remember that plans looking to the emancipation of the colored people who still remained slaves could only be tentatively suggested in Congress by any Northern statesman; that, as the Union then stood, any measure on the subject must originate with and be carried out only by each slave-holding State, with such collateral aid and encouragement as it was competent for the Federal Government to give; and that the question of what was to be the status and the destiny of the freedmen was inextricably interwoven with the question of emancipation. No one, outside of the circle of the Abolitionists, looked forward to the possibility of a full political equality of whites and blacks in the States where slavery then remained; nor did even the Abolitionists trouble themselves to afford any help upon the great problem of what was to follow the emancipation, for which they were so passionately eager that they sought to break down all constitutional barriers in order to reach it. If, therefore, in that condition of a great and complicated subject, more difficult of wise treatment than any with which modern statesmanship has had to deal in any country—too vast for empirical remedies, too complex for the application of abstract principles, however true—Mr. Webster declared that he would consent to give back to Virginia two hundred millions of dollars, from the proceeds of a public domain which she had generously ceded to the Union, to enable her to deal beneficially with her free colored people, or with those who might be made free, what offence against humanity, or sound policy, or the interests of the negro race, did he commit? Any one who duly considers his suggestion or offer, will see that it was the only thing within the compass of all the power of the Federal Government by which it could afford any aid whatever to future emancipation; and that, as things then stood, Virginia was, of all the large slave-holding States, the one in which this aid could have been practically extended. True, it contemplated deportation; but compulsory deportation was no necessary

part of such a plan ; and even if it had been, it was in the power of Christian and philanthropic administration, with two hundred millions of money behind it, to do a thing of vast consequence to the interests of the colored race. Subsequent events have led the people of the United States to deal with these interests in another way ; but while we may all hope that the equality of American citizenship that has been conferred upon the colored people will prove a blessing to both races—a point that is not yet established—it would be folly to question the wisdom or the motive of a past statesmanship, which contemplated colonization in other lands of those to whom birth upon American soil had not then, as it now has, everywhere given all the political and civil rights that it gives to white men.

It has been necessary for me, in vindicating the memory of Mr. Webster from an unjust imputation, to contrast his teachings and his public conduct with those of the radical Abolition leaders who assailed him, and who undoubtedly did contribute largely, by their assaults upon him specially, to prevent the settlement of 1850 from attaining that universal acceptance in both sections of the Union which would have put it beyond the possibility of being disturbed, because it would have rendered impossible the subsequent repeal of the earlier settlement known as the Missouri Compromise. The men who led the anti-slavery agitation from about 1834 to the time of President Lincoln's first election, were certainly remarkable men. No similar band of agitators ever succeeded better in divesting themselves not only of all charity, but of all power to judge righteously of the conduct of those whose sense of public duty was opposed to theirs. To say of them that they were unfair, is to use a term far too mild to compass the monstrous injustice toward others of which they were habitually guilty. They seem to have studiously disqualified themselves to understand that there could be purity of motive in those whose public conduct did not suit them. They had no toleration for that high loyalty to the Constitution, that scrupulous obedience to law, that fidelity to civil obligation, which are at once the glory of magistracy and the best security of a popular government. With them, every man who

did not submit himself to their dictation and accept their wild theories of government was bought by the "slave-power" with office or with money. They constituted themselves keepers of other mens' consciences, and endeavored to inflict the pains which it is the office of conscience to inflict upon itself. They knew nothing of that large consideration of the public good which is involved in the firm execution of law because it is law.

In the early part of their career they had been subjected to what they regarded as persecution. It taught them how the reputation of martyrdom secures a following, and they used it to array multitudes in support of their disorganizing theories. As they went on, they became aware of the power of violence in speech, of audacious and untruthful assertion, of the calumnious imputation of bad motives, and of the extravagance which disturbs and confounds all moral distinctions. Too impatient to await the slow but sure progress of society toward a better condition, they aimed directly and of purpose to bring about the immediate abolition of slavery, without regard to consequences or consideration of means. Some of them treated the South as if it were a hostile country.<sup>1</sup> Nearly all of them taught that disunion was to be pre-

<sup>1</sup> "But here is a matter which the South may think of. In case of foreign war, the North will not be the battle-field. An invading army would attack the South. Who would defend it—the local militia, the 'chivalry' of South Carolina, the 'gentlemen' of Virginia, who are to slaughter a hundred thousand Abolitionists in a day? Let an army set foot on Southern soil, with a few black regiments; let the commander offer freedom to all the slaves, and put arms in their hands; let him ask them to burn houses and butcher men: and there would be a state of things not quite so pleasant for 'gentlemen' to look at." ("Works of Theodore Parker," vol. i., p. 426.) It seems almost incredible that such things should have been uttered and printed. They were not only uttered and printed, but they were carefully reprinted, and they stand on shelves of libraries to-day, in all the freshness of good type, fair paper, and comely binding. Mr. Parker's foul and indecent sermon on Mr. Webster was dedicated, in the new edition of 1853, to "The Young Men of America."—In another "Discourse," in 1852, speaking of the execution of the Fugitive-Slave Law by the administration of Mr. Fillmore, Mr. Parker said: "I wish I could find an honorable motive for such deeds; but hitherto no analysis can detect it, no solar microscope of charity can bring such a motive to light.

ferred to any union with slave-holders ; that revolution was better than slavery ; and, that no civil compacts or laws which recognized the bondage of the negro were of the slightest obligation upon him or any one else.

Every political occurrence, therefore, which offered to them a real or a pretended cause for inflaming the Northern dislike of slavery, augmented the influence which they were constantly exerting to bring about a state of things that would end in a dissolution of the Union.<sup>1</sup> To the accomplishment of this end they were powerfully assisted by another set of men in the South, who had learned to maintain slavery to be a kind of Divine institution.

Great honor is now claimed for those who led the Northern anti-slavery agitation for a period of about thirty years, as

"The end is base, the means base, the motive base." I do not know, in all the history of polemics or politics, a more singular self-stultification than this. A man of intelligence and culture, able, one would suppose, to survey the whole field of human motives, with the Constitution of the United States before him, and with all the facts before him which rendered its execution a public duty, professes himself to be unable to understand how the administrators of the Government could possibly have had an honorable motive for their acts. Even with his "solar microscope of charity"—such as it was—he could discover nothing but a sordid and mean desire to truckle to the South. The confession seems to imply great defect in the vision, or in the microscope ; or, perhaps, the inquirer could not see what he did not wish to see.

<sup>1</sup> See the Resolutions adopted by the Massachusetts Anti-Slavery Society, at a meeting in Faneuil Hall, January 23–24, 1850, indorsing the Resolution of an anti-slavery convention held in Ohio in the previous September, in the following words: "With full confidence in the integrity of our purpose and the justice of our cause, we do hereby declare ourselves the enemies of the Constitution, Union, and Government of the United States, and the friends of the new Confederacy of States, where there shall be no union with slave-holders, but where there shall ever be free soil, free labor, and free men ; and we proclaim it as our unalterable purpose and determination to live and labor for a dissolution of the present Union, by all lawful and just though bloodless and pacific means, and for the formation of a new republic that shall be such not in name only, but in full living reality and truth. And we do hereby invite and entreat all our fellow-citizens, and the friends of justice, humanity, and true liberty throughout the Northern States, to unite with us in laboring for so glorious an object."



persons who, by their consistent and persistent pursuit of their object, accomplished, it is said, the abolition of slavery. That they had a large, a very large, agency in producing a state of things in which the South became more and more resolved to maintain slavery; that they exasperated sectional animosities until it became apparent that the issue of a civil war must determine that which should have been reached by far other means, cannot be denied. But so long as it remains true that the means by which an end is reached constitute an important moral element in judging the claims of individual actors, history will have an account to settle with those who organized and conducted the Abolition societies of the North, and who, by their mode of attack upon slavery, produced in the South a determination to defend it at every hazard. Before this agitation commenced in the North, public opinion in the South was beginning to consider the evils of slavery, and to inquire what could be done for its amelioration and final extinction. But all this was immediately checked, as soon as it was seen that there was to be an interference from the North with a matter that concerned the domestic and internal condition of the slave-holding States. There is no fact in American history more certain than this; and, moreover, it was just as plain to wise men, when the Northern agitation was but just begun, what would be its effect and its ultimate consequences, as what they have been is now plain to us. In a remarkably prophetic letter written by Dr. Channing to Mr. Webster in 1828, the result which we have seen was foretold. "My fear," he said, "in regard to our efforts against slavery is, that we shall make the case worse by rousing sectional pride and passion for its support, and that we shall only break the country into two great parties, which may shake the foundations of government."<sup>1</sup> It was Channing's conviction that the proper course for the people of the North to pursue was to manifest a willingness, in a true spirit of sympathy for a calamity, to share the toil and expense of abolishing slavery, and that, without this manifestation, all Northern interference would be unavailing. But the Abolitionists soon put any such

<sup>1</sup> The letter may be found in vol. v. of Mr. Webster's "Works," at p. 366.



course out of the question. They chose to treat slavery not as the calamity but as the crime of the Southern people, and to attack the Constitution because it sanctioned that crime. The immediate and inevitable effect was that, in the eyes of the Southern people, slavery suddenly ceased to be a calamity, and became a blessing. Before there could be any consideration of means by which the Federal Government could afford collateral aid to emancipation, Southern sentiment about slavery was completely changed. The efforts for its further extension and the increase of its political power, however unwise, followed as natural results. In weighing, therefore, the honor that is to be accorded in history to the Abolition leaders, so far as the removal of slavery is to be regarded as their work, its removal is to be placed in one scale, and a civil war, with the loss of a million lives and the accumulation of a mountain of public debt, is to be placed in the other. If we go back from 1860 to 1830, and suppose that the North had so acted as to follow and assist, in a kindly spirit, such measures as some of the Southern States might easily have adopted for gradual emancipation, if the slave-holders had not been persecuted as criminals, all the money that the Federal Government could have expended, in a period sufficient to have seen the final end of slavery, would not have amounted to a quarter part of the cost of the late war, and not a single drop of blood need have been added to the money; moreover, no national debt, of any serious amount or considerable duration, need have been incurred.<sup>1</sup>

<sup>1</sup> "Gradual emancipation"—a term that used to excite the special wrath and scorn of our Abolitionists—comprehended two ideas: As applied to the measures that might be taken in any one slave-holding State, it implied a system of freeing those born after a certain period; as applied to the whole mass of slavery in all the slave-holding States, it implied a commencement, in one or more separate States, of measures for emancipation, for which such State or States were better prepared and more favorably situated than others. Both of these ideas might have become practical, if the slave-holders everywhere had not been attacked from the North as men guilty of a sin that was repeated every day and every hour that they continued to deliberate upon what they could or ought to do. It should not be forgotten that this attack began and had been carried on for nearly fifteen years, before the annexation of Texas, and the Mexican War, were

There could not be a more forcible illustration of the mistake—to call it by no stronger term—which was made by the anti-slavery agitators at the beginning of their efforts, and always persisted in, than is afforded by the recently-published autobiography and memoirs of Harriet Martineau. This lady, in some respects a very remarkable woman, who had some statesman-like qualities united with a due share of feminine weaknesses, came to this country in 1834, when she was at the age of thirty-four. How she fell, at the latter part of her visit, into the society and under the influence of the Abolition leaders, and became their most powerful English ally and agent, may be learned from her own account, supplemented by her American biographer, Mrs. Chapman. She came here, of course, with strong feelings against slavery, but with no special associations with those who were then organizing the anti-slavery agitation in the Northern States of this Union. These persons were then undergoing what they have always considered as their great trial, in consequence of a state of the popular feeling which neither they nor she ever rightly understood, or for which, if they ever understood it, none of them have ever rightly accounted. Perhaps it was not to be expected that persons who were at first made objects of more or less unjustifiable popular violence, or social ostracism, on account of their opinions and utterances concerning slavery, should have taken much pains to account for the odium in which they were for a time held. Of the fact of that odium, and of its occasional manifestations in very improper ways, there can be no denial.

undertaken for the purpose of creating new defences of slavery against Northern aggression.

In 1833-'34 it cost the British Government, in compensation to the masters, £20,000,000, or \$100,000,000, to emancipate all the slaves in all their colonies. In 1830, the slaves in the United States numbered a little over two millions, of all ages and both sexes. Rating their average value at \$300 per head—which would have been a very liberal allowance in the purchase of freedom for a large mass of such a population—and assuming that a measure of emancipation similar to that adopted by the Imperial Parliament had been put in operation in this country at about the same period, the cost would have been \$600,000,000. The mere money-cost of our late Civil War, to the Federal Government alone, was over \$4,000,000,000.

But to believe that it had no other root than a sordid commercial spirit, or a demoralization of American society, brought about by an original compromise with a great wrong, was to take a very shallow view of the matter, which so intelligent and sagacious a person as Miss Martineau should not have adopted. I am speaking here not of the Southern but of the Northern feeling toward the Abolitionists, at the period of Miss Martineau's visit. That feeling was caused by an instinctive conviction, shared by nearly all classes, that the Union was imperilled by the anti-slavery agitation, as it had been begun and was conducted; that this agitation could not go on here, in the free States, without producing, sooner or later, a territorial and sectional civil war; that a peaceful emancipation of the Southern slaves, brought about by this kind of Northern interference, was out of the question; and that we of the North were not called upon, by any duty that we owed to the subjects of that bondage, to break up and destroy our national Constitution, at the risk of what might be made to take its place after a separation of the free from the slave States. This conviction was a sound and wholesome one. As a moral instinct it was perfectly right, for no just reason could be assigned that could make it our duty to imperil our institutions, our own welfare, and the welfare of our children's children, in an attempt to force immediate emancipation upon the South, on the ground that slave-holding was a sin. But it often happens that a perfectly right popular sentiment will express itself in wrongful acts. It did so in this instance, in ways that were not only impolitic, but that could be complained of as violations of the rights of free speech.

When Miss Martineau first came here, without concealing in private any of her opinions or feelings about slavery, she wisely kept herself free from the influence of all cliques. She traveled extensively in the South, and did not conceal her views of slavery there any more than in the North; and it stands upon her own written declaration that no efforts were made to bias her mind in favor of the "institution," while the fullest opportunities were given to her to observe its condition, its workings, and to understand the feelings of the masters. It happened that in Charleston she was the guest of a

Unitarian clergyman, the Rev. Mr. Gilman, who had a brother-in-law in Boston, Mr. Ellis Gray Loring, then, and until his death, one of the foremost leaders of the Abolitionists. Mr. Gilman wrote to Mr. Loring in the most enthusiastic terms of Miss Martineau's personal qualities, and expressed the hope that Mr. and Mrs. Loring would become acquainted with her. The steps taken by Mr. Loring to commit Miss Martineau to the cause and the organization which he had so much at heart were so characteristic, that many who remember that gentleman will recognize his zeal and his methods. He wrote a long letter to Miss Martineau, who was still in the South, warning her that great efforts would be made to blind her to the true character of slavery, and to prejudice her against the "fanaticism and indiscretion of the anti-slavery party," and begging her to suspend her opinion of the anti-slavery measures and men till she could look at them for herself. He ended by inviting her to become his guest when she should return to Boston. This letter reached her while she was staying at Mr. Clay's, in Louisville, May 27, 1835. Accepting the proffered hospitality of Mr. and Mrs. Loring, she replied to the main topic of his letter as follows :

"We shall spend many a half-hour in talking over the principal subjects of your letter. It is too copious a one to be entered upon now, but I cannot honestly let you suppose that I agree with you in thinking that there has been any attempt, or wish, to blind me as to the real state of things at the South. I have been freely shown the notoriously bad plantations, *because* they were bad, and have been spontaneously told a great number of dreadful facts, which might just as well have been kept from me if there had been any wish to deceive me. I have seen every variety of the poor creatures, from the cheerful, apt house-servant, to the brutish, forlorn, wretched beings that crawl along the furrows of the fields. The result has been a full confirmation of the horror and loathing with which I have ever regarded the institution, and a great increase of the compassion I have always felt for those who are born to the possession of slaves—a compassion which has something of respect mingled with it, when I see them persecuted by a foreign interference, which is now the grand hinderance to their freeing themselves from their intolerable burden. How Christians can exasperate one another under the pressure of so weary a load of shame and grief, I can scarcely understand; and I have been fancying, all through the Southern States, how, if Jesus himself were to rise up amidst them, he would pour out his compassion and love upon those who are afflicted with



an inheritance of crime. If his spirit were in us all, the curse would be thrown off in a day; and, as it is, I am full of hope that the day of liberty is rapidly approaching, notwithstanding the mutual quarrels of Colonizationists and Abolitionists, and the hard thoughts which the friends and masters of the slaves entertain of each other. The reasons of my hope, my *confidence*, I will tell you when we meet."

After her return to Boston she was warily induced to attend a ladies' anti-slavery meeting, to which she was escorted by Mr. Loring from his own house. She came to the meeting without the slightest warning of what was to happen to her, and without any purpose but to learn, as a silent observer, what her anti-slavery friends were aiming at, and how they handled their subject. In the course of the proceedings Mr. Loring passed to her a slip of paper on which he had penciled these words, the purport of which was immediately whispered through the room :

"Knowing your opinions, I just ask you whether you would object to give a word of sympathy to those who are suffering here for what you have advocated elsewhere. It would afford great comfort."

She says, in her autobiography, that the moment of reading this note was one of the most painful of her life; and Mrs. Chapman tells us that the touch of pain and displeasure which passed over Miss Martineau's face was more severe than she ever saw on any other human countenance. Well it might be. She was caught. If she had remained silent, her silence would have been instantly regarded and treated as a proof that her sentiments about slavery were not wholly sound. In this dilemma, suppressing her pain and displeasure by a severe effort, she rose, and said, with an evident tone of reproach :

"I have been requested, by a friend present, to say something, if only a word, to express my sympathy in the objects of this meeting. I had supposed that my presence here would be understood as showing my sympathy with you. But, as I am requested to speak, I will say what I have said through the whole South, in every family where I have been : that I consider slavery as inconsistent with the law of God, and as incompatible with the course of his providence. I should certainly say no less at the North than at the South concerning this utter abomination; and I now declare that in your *principles* I fully agree."



She herself tells us that she involuntarily emphasized the word "principles," because she then regarded the methods of her anti-slavery friends as objectionable—an opinion which she afterward changed. But what she said was enough for those who had led her into this step. Her remarks were taken down and accurately published in Mr. Garrison's *Liberator*. The occurrence enabled the Abolitionists to claim Miss Martineau as theirs, and it put her into a false position with all the rest of American society. The natural effect upon her of what followed this affair—the displeasure and vexation of other circles—was to make her at one with her anti-slavery friends in all their opinions, feelings, and acts; or, as Mrs. Chapman puts it, "she came to see things as they were." Seeing things as they were, meant that she finally went home to England thoroughly indoctrinated with the Abolitionist belief that all the statesmen of America were corrupted by the influences of slavery; that the general tone of American society was debased by craven fears; and that all the wisdom, virtue, ability, courage, patriotism, and true nobility of soul that America could boast, were concentrated in the persons of the anti-slavery agitators. At the end of more than forty years, we have the story of that meeting related by herself and Mrs. Chapman with infinite *naïveté*, as if it were a perfectly undesigned occurrence, an unpremeditated accident. Nay, we learn that Mr. Loring—and it can be easily credited—called upon her after the meeting, and, in terms of great mortification and sorrow, expressed his regret for the unintentional injury which he had done; that she accepted his protestations, and soothed his wounded feelings by telling him that the responsibility was hers at bottom!

What would she have thought if a similar device had been resorted to in Charleston, to draw her into the public expression of opinions favorable to the slave-holders and against the Abolitionists—which she certainly did hold, and which she expressed in her private letter to Mr. Loring.

That letter, be it observed, was written at the house of Mr. Clay, in Louisville; and in it she tells Mr. Loring emphatically that there has been *no* effort to blind her about slavery. But in her autobiography, written in 1855, there is a passage which

shows that the papers which came into the hands of Mrs. Chapman ought to have been more carefully edited, for she declares that Mr. Clay "was daily endeavoring, at his daughter's house or his own, to impress me in favor of slavery." (Vol. i., p. 344.) Similar contradictions of herself, in many instances, might be pointed out, if it were worth while.

But let the statesmen of America be left for a moment out of consideration, as persons whose political relations might possibly have blinded them; and let us accompany Miss Martineau in her intercourse with one of her own sex—a woman who was in no way her inferior in wisdom, not far her inferior in intellect and cultivation, and fully her equal in all goodness, religious principle, and benevolence.

Catharine Sedgwick was the daughter of one of the ablest and purest of the Northern framers of the Constitution of the United States. If any woman in America could claim to know and be able to instruct a foreigner of her own sex in what consisted the moral justification for the terms on which the Union was formed in 1787, and what was the necessity for its preservation, it was Miss Sedgwick. Now, from Miss Martineau herself (writing in 1855) we have the following account:

"I remember Miss Sedgwick starting back in the path, one day when she and I were walking beside the sweet Housatonic, and snatching her arm from mine, when I said, in answer to her inquiry, what I thought the issue of the controversy must be. 'The dissolution of the Union!' she cried. 'The Union is sacred, and must be preserved at all cost.' My answer was, that the will of God was sacred, too, I supposed; and if the will of God—which, as she believed, condemned slavery—should come into collision with the Federal Constitution which sanctioned it, the only question was, Which should give way—the Divine will, or a human compact? It did not appear to me then, any more than it does now, that the dissolution of the Union need be of a hostile character. That the elimination of the two pro-slavery clauses from the Constitution must take place sooner or later, was always clear to me; but I do not see why the scheme should not be immediately and peaceably reconstituted, if the Americans will but foresee the necessity in time."<sup>1</sup>

<sup>1</sup> Miss Martineau, in her characteristic mode of setting down everybody who differed from her, speaks of the "American timidity" with which the Sedgwicks "worshiped the parchment-idol—the Act of Union." She

Here, then, we have the American woman of high culture, intelligence, and conscientiousness, expressing, in 1836, the national conviction that, above all things, the Union must be preserved, and that the supposed conflict between the Federal Constitution and "the will of God" must be disposed of by other means than a dissolution of the Union, which certainly could not be peaceable, and which could afford no reasonable probability that "the will of God" would be worked out in that way. On the other hand, we have the English woman of very high intelligence and culture, but with a cold and scholastic logic, assuming two things: first, that the conflict between "the will of God" and the human compact must produce the dissolution of the compact; and secondly, that its dissolution could be peaceable. Which of these two women was right? We have had "the irrepressible conflict" worked out; and the question, Which of these two opinions was right? is solved by a bitter experience that has demonstrated the value of all such anterior speculative logic as Miss Harriet Martineau's. That there never was, or could be, a time when the dissolution of our Union could be peaceable, she should have

never qualified herself to understand the grounds of that attachment to the Constitution of the United States which she stigmatized as worship of a parchment-idol. The phrase which she applied to it shows that she took it to be something like the Act of Union between England and Scotland. Hence she probably supposed that no more was involved in a dissolution of our Union than would be involved in a mutual agreement of the people of those kingdoms to sever the two crowns and to restore the Scottish Parliament. If she had tried to understand how the Federal Government is the agent and trustee for the exercise of certain powers of a national description, ceded to it in full sovereignty by the people of the several States; how the destruction of that Government would effectually destroy the national character of those powers, and relegate them into the hands of discordant States; how the dual character of our political system is essential to our safety, our peace, our development, and our happiness; how its preservation stands between us and anarchy—if she had learned all this, and much more that she might have learned, she would perhaps have found that what she called the "American timidity" was a sound and wise conservatism, which the American people whom she knew had inherited from fathers who had been taught by practical suffering how to found a Government for a nation upon the necessities and conditions of its national life.

learned from those who were qualified to tell her so. That there never was, or could be, a time when the North could have demanded from the South an elimination of what she calls the two pro-slavery clauses of the Constitution, on the ground of their inherent sinfulness, without forcing the South to dissolve the political partnership, was perfectly clear to those whose opinions she thought proper to reject. What she meant by our foreseeing the necessity in time, is not very clear. No promptitude of action, if the action was to be an elimination of "the pro-slavery clauses," could have been anything but an offer to the Southern States to go out of the Union. Suppose that offer had been made and accepted at any time from 1830 to 1860: what good would that have done to the negro? When the dissolution of the Union, forced on by causes in which "the irrepressible conflict" played a great part, was attempted in 1861-'65, we had demonstration enough of what the Southern States could do to maintain a separate national existence and pro-slavery institutions. It cost a great war, with all its attendant horrors and consequences, and a military conquest, to eliminate "the pro-slavery clauses" from the Federal Constitution; and the idea of a peaceable dissolution of the Union, to be followed by an immediate and peaceable reconstitution of the political "scheme," was proved to be the chimera which Mr. Webster always considered it. If by any stretch of the imagination we can conceive of a peaceable separation of the North and the South occurring at any time after 1830, slavery could never have been ended without a subsequent military conquest of the South by the North, such as we saw when the dissolution was not consented to by the latter and was attempted by the former. Now, the opinion that the removal of slavery was worth what it has cost, is one thing. The opinion that there was another and a better method, that might have been pursued if slavery had not been so attacked as to arouse individual and sectional passions in its support, is one that must remain unshaken, because it has been confirmed by the stern and irrefutable logic of events that have passed into history.

When, too, we look back to the sole ground, the single idea, in which the Abolitionists began and ended the whole of



their exertions—the inculcation of the doctrine that slave-holding was a sin and must be instantly abandoned, without consideration of means and consequences—one cannot help asking, Even if it was a sin, how did that justify a demand for its immediate cessation, proceeding from those who had no power and no inclination to propose a relief from the burthen of that sin? He who undertakes to eradicate a sin that is participated in by multitudes and interwoven with the whole fabric of society, is as much bound by the laws of moral obligation to consider his means and to weigh the consequences of his methods, as he who undertakes to reform what is only an economical or social disadvantage. In proportion to the magnitude of the evil or the wrong, the more stringent are the limitations upon human duty which are marked by the consequences of insisting on a sudden change, without any proposal of a method by which the wrong can be made to cease, or any power to afford the least assistance to the doing of what is right. The Abolitionist would say that it was his mission to awaken the nation to a sense of the sin of slavery, and that, when he had done this, slavery would fall. The first and the only effect of his denunciation was to confirm the sinner in his sin, for the very sufficient reason that no aid was offered to him to help him in the effort to cease from sinning. The best minds in the northern section of America—saving always those “happy few” who considered that they alone “had hold of the root of all American problems”—shrank from the folly of denouncing every slave-holder as unworthy of the Christian name, and held that emancipation must be the work of slow, considerate, prudent, and safe legislation, governed principally by the economical and civil requirements of the problem. The Abolitionists rejected all such considerations, and held that the way was to denounce slavery as a sin, regardless of consequences. Posterity must judge between them.

The ways of Providence are past finding out, and perhaps the time has not come for us to see all that can ever be seen of the designs of that Power which rules the destinies of nations. Those who come after us may be able to see a little more than we can. But there is one thing that even we can now perceive: individual men are moral agents, and can be



comprehended by other men. We can understand the motives, aims, and influences of a prominent statesman who sought to give a certain direction to public affairs. We can perceive the results to which his counsels and his acts plainly tended. We can ascertain, with a high degree of moral certainty, that if his advice had been followed through a period sufficient to have produced its legitimate effects, disasters never could have occurred which did occur. To this conclusion we can come without in any way questioning the good which an Infinite Power has brought out of evil. The good in this case is the removal of African slavery. The evil consists in the mode in which that removal was reached. It might have been accomplished, if it had pleased God, by other means. If one of the wisest and greatest of men gave himself, with singleness of purpose, with unquestionable moral courage, and with unsurpassed intellectual power, to that conservative action which would have saved us from a civil war, and secured the possibility of peaceful emancipation by the free legislation of the Southern States, are we to deny to him the praise that virtue and patriotism should earn for statesmen, and to impute to him the low motives of the selfish and unprincipled politician? We are now in a period of our history in which we are too much inclined, in looking back upon the time when slavery was interwoven with our political system, to underrate the difficulties which surrounded those who founded our Government, and which continued to surround those who immediately succeeded them.

Slavery is gone—gone for ever—and we are not a little given to wonder that a union with slave-holders was ever tolerated by the Northern framers of our Constitution. We must remember that, whatever may be the seeming inconsistency between some parts of the Declaration of Independence and the Constitution of the United States as it came from the hands of its framers, the latter could not have been made and established if it had not been based upon the idea that it sought to secure “the blessings of liberty” to the one race of white men. We must remember, too, that in the succeeding age, in which Daniel Webster lived and acted, the Union could not be preserved without the fulfillment of all the guar-

antees and recognitions which the Constitution had accorded to slavery, and that the only hope for voluntary and bloodless emancipation lay absolutely dependent upon the preservation of peace.

It is not to be denied that when Mr. Webster rose in the Senate, on the 7th day of March, 1850, to meet the crisis in which his country was then involved, he was surrounded by great personal perils. To borrow his own words, "The imprisoned winds were let loose." It was plain that he must encounter obloquy, misrepresentation, misconception, the alienation of friends, the bitterness of enemies. It might be that only in a far-distant day, when all earthly honors would be nought to him, would he be recognized as he should be. Yet he felt, and he said, that he had that within which would keep him to his duty, for the good of the whole and the preservation of all, during that fearful struggle through darkness and danger, whether the sun and the stars should appear or should not appear for many days—ay, or even for many years.

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[The following remarkable poem, by William Cleaver Wilkinson, Professor in the Rochester Theological Seminary, appeared in *Scribner's Monthly Magazine* for April, 1877. I have obtained the author's permission to reprint it entire. It may fairly be set off against Whittier's "Ichabod."]

## WEBSTER.

Fixed, like the pole,  
He stood, whatever moved,  
As if, though sole  
The shock to take and break, it him behooved.

The shock he broke ;  
The multitudinous main  
Its waves awoke—  
Woke all its waves, and stormed the rock in vain.

To join the waves,  
The mustering winds went forth  
From all their caves  
Against him, west, and east, and south, and north.

The spinning void  
Of whirlwind, humming by  
In its cycloid,  
Paused, on that seated strength its strength to try.

And the floods came—  
Deep called to deep aloud,  
Through the great frame  
Of Nature, 'twixt the billow and the cloud.

And deluge rolled,  
From pole to pole one tide,  
Waste, as of old,  
And, weltering, shouldered huge against his side.

The thunderbolt,  
 As when that Titan world  
 Rose in revolt,  
 Hot through the kindling air amain was hurled.

And, whence it slept,  
 Like a swift sword unsheathed,  
 The lightning leapt,  
 And round him its fierce arms of flame enwreathed.

The rending throes  
 Of earthquake to and fro,  
 From their repose  
 Rocked the perpetual hills, or laid them low.

And still he stood—  
 For the vexed planet still,  
 Created good,  
 Was whole, and held her course, and had her will.

Around him cloud,  
 Pale spectre of spent storm,  
 Clung, like a shroud,  
 And veiled awhile the inviolable form.

But umpire Time,  
 Serenely wise and just,  
 With slow, sublime,  
 Unalterable decision, and august,

Cleansed this away,  
 And, lo! the glorious front,  
 In candid day,  
 Resumed, with solemn joy, its ancient wont.





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OF  
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